

## **REMARKS**

Claims 1, 4-9, 13-20 and 22 were pending in the present application. Claims 13-14 are canceled, and claims 1 and 15-19 are amended herein. Accordingly, claims 1, 4-9, 15-20 and 22 are currently pending. No new matter has been added. Applicant respectfully request reconsideration of the claims in view of the following remarks.

### **Claim Rejections Under 35 U.S.C. § 112**

Claims 1, 4-9, 13-20 and 22 are rejected under 35 U.S.C. § 112.

Firstly, independent claims 1 and 18 are rejected for multiple instances of the phrase “a service traffic flow.” Applicant has amended claims 1 and 17-19 to change “a service traffic flow classification table” to “a table of service traffic flow classification.”

Secondly, independent claims 17-19 are rejected because the limitation “a first performing means for obtaining a service traffic flow identification” uses the phrase “means for” but it is unclear whether the phrase is modified by sufficient structure so as to preclude application of 35 U.S.C. § 112, 6<sup>th</sup> paragraph. Applicant has amended claims 17-19 by replacing “a first performing means” with “a downlink interface” to clarify that this claim limitation should not be interpreted under 35 U.S.C. § 112, 6<sup>th</sup> paragraph. Basis for this amendment may be found, for example, in U.S. Pat. Appl. Publ. 2008/0025218 A1, ¶¶ [0127], [0126], [0026], [0041]-[0048] & Figures 5-7.

Thirdly, independent claims 1 and 17-19 are rejected for the phrase “the corresponding outgoing aggregation path information” not having sufficient antecedent basis. Applicant has deleted the word “the” in the phrase in claims 1 and 17-19.

Thus, amended independent claims 1 and 17-19, as well as dependent claims 4-9, 15-16, 20 and 22, comply with 35 U.S.C. § 112.

### **Claim Rejections Under 35 U.S.C. § 103**

Claims 1, 4-9, 13-20 and 22 are rejected under 35 U.S.C. § 103(a) as being unpatentable over US patent 7,496,661 B1 to Morford et al. (hereinafter “Morford”) in view of U.S. Patent Application Publication 2004/0215817 A1 to Qing et al. (hereinafter “Qing”), and further U.S. Patent 7,012,919 to So et al. ( hereinafter “So”). Applicant respectfully traverses, and submits that the currently pending claims are patentable for at least the following reasons.

Applicant has amended independent claims 1 and 17-19 based on elements in canceled claims 13-14 and step 504 in Figure 5 of the application.

Amended claim 1 comprises [1] constructing an edge-to-edge label switching path concatenated pipe by the established label switching paths, and [2] steering the processed service traffic flows to an egress router of the core network through the edge-to-edge label switching path concatenated pipe.

Morford fails to disclose limitation [1] of amended claim 1.

New limitation [2] of claim 1 is derived from the canceled claim 14 limitation “steering the service traffic flow to the egress router of the core network through the label switching path concatenated pipe or the virtual multi-protocol label switching network when the delivery through the corresponding label switching path of this class of traffic is selected as the forwarding mode of the service traffic flow.” It can be seen that limitation [2] of claim 1 only recites the “label switching path concatenated pipe” feature of canceled claim 14.

The Office Action stated that Col. 4 lines 23-25 of Morford disclose the cited limitation of canceled claim 14. *See* Office Action, pp. 14-15. Applicant, however, submits that new limitation [2] in amended claim 1 is not disclosed by Morford.

Col. 4 lines 23-25 of Morford state, “The resulting MPLS core network is then packet-based using MPLS and some specified QoS mechanism such as DiffServ, IntServ, and so on.” Morford, however, fails to teach or suggest steering the processed service traffic flows to an egress router of the core network through the edge-to-edge label switching path concatenated pipe as claimed in amended claim 1.

Amended claim 1 recites that an edge-to-edge label switching path (LSP) concatenated pipe is constructed by an established plurality of LSPs at an uplink interface of an edge router. “This makes it possible to . . . steer service traffic flows to [an] egress router through LSP concatenated pipe . . . according to the traffic class. Thus, precise QoS guarantee and QoS routing control can be provided for application flows between the edges of the core network, thereby meeting the requirements for a packet based network to support various telecommunication services simultaneously. Moreover, since the QoS control in application flow level is performed only at the edges, while the traffic control in LSP level is performed at the core of the network, high-speed forwarding capability and simplicity in the core of the network are ensured.” U.S. Pat. Appl. Publ. 2008/0025218 A1, ¶ [0076] (emphasis added).

In summary, Applicant submits that Morford, including the above-mentioned portions, fails to teach or suggest a solution comprising the above limitations of amended claim 1.

Applicant also has carefully reviewed the Qing and So references, and found that neither Qing nor So teaches or suggests a solution comprising the above limitations of amended claim 1.

Accordingly, amended claim 1 patentable over Morford in view of Qing and So under 35 U.S.C. § 103. Similarly, claims 4-9, 15-16 and 20 are dependent from claim 1 and are patentable under 35 U.S.C. § 103.

For at least the same reasons, amended independent claims 17-19 also are patentable over Morford in view of Qing and So under 35 U.S.C. § 103. Similarly, claim 22 is dependent from claim 18 and is patentable under 35 U.S.C. § 103.

### **Conclusion**

In view of the above, Applicant submits that the claims are in condition for allowance. No new matter has been added by this amendment. If the Examiner should have any questions, please contact Applicant's Attorney, Brian A. Carlson, at 972-732-1001. The Commissioner is hereby authorized to charge any fees due in connection with this filing, or credit any overpayment, to Deposit Account No. 50-1065.

Respectfully submitted,

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